

selling for importation, or selling within the United States after importation certain remodulating channel selectors and systems containing same that infringe certain claims of Ciena's U.S. Letters Patent 5,715,076.

On May 1, 1998, Ciena and Pirelli entered into a settlement agreement, which included an agreement to file a joint motion to terminate the investigation. On June 18, 1998, Ciena and Pirelli filed the joint motion to terminate the investigation, which was supported by the Commission investigative attorney ("IA").

On July 31, 1998, the ALJ issued an ID (Order No. 4) granting the joint motion to terminate the investigation on the basis of the settlement agreement. None of the parties filed a petition to review the subject ID. The Commission subsequently determined not to review the subject ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42. Copies of the public version of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>).

Issued: September 1, 1998.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 98-24270 Filed 9-9-98; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Antitrust Division

Proposed Termination of Judgment

Notice is hereby given that defendant, United Technologies Corporation ("UTC"), formerly United Aircraft Corporation ("UAC"), has filed with the United States District Court for the District of Connecticut, a motion to terminate the Final Judgment in *United States v. United Aircraft Corporation*,

Civil Action No. 14426, and that the Department of Justice ("Department"), in a stipulation also filed with the Court, has tentatively consented to termination of the Final Judgment, but has reserved the right to withdraw its consent pending receipt of public comments. The Complaint in this case (filed May 24, 1971) alleged that UAC had attempted to monopolize fuel cell research and development in the United States.

On July 11, 1973, a Final Judgment was entered against UAC. The Final Judgment was entered by consent between the United States and UAC. In 1975, the name of United Aircraft Corporation became United Technologies Corporation. The Consent Decree applies to UTC's conduct with respect to the research, development and manufacture of fuel cells. Certain provisions of the Consent Decree have expired by their terms, or have been rendered moot because the subject patents have become public. Other provisions of the Judgment that continue to apply prohibit UTC from engaging in certain conduct. Specifically, those provisions enjoin and restrain UTC from entering into any exclusive fuel cell research and development joint venture with a U.S. corporation or citizen, and using its purchasing power to restrain competition in the research, development or manufacture of fuel cells or equipment specifically designed for use with fuel cells (including, but not limited to, pumps, heat exchangers and purging equipment).

The Department has filed with the Court a memorandum setting forth the reasons why the Government believes that termination of the Final Judgment would serve the public interest. Copies of UTC's motion papers, the stipulation containing the Government's consent, the Government's memorandum and all further papers filed with the Court in connection with this motion will be available for inspection at the Antitrust Documents Group of the Antitrust Division, Room 215 North, 325-7th Street N.W., Liberty Place Building, Washington, D.C. 20530, and at the Office of the Clerk of the Court, United States District Court for the District of Connecticut, 450 Main Street, Hartford, CT 06103. Copies of any of these materials may be obtained from the Antitrust Division upon request and payment of the copying fee set by Department of Justice regulations.

Interested persons may submit comments regarding the proposed termination of the decree to the Government. Such comments must be

received by the Division within sixty (60) days and will be filed with the Court by the Government. Comments should be addressed to Mary Jean Moltenbrey, Chief, Civil Task Force, Antitrust Division, Department of Justice, Liberty Place Building, Suite 300, 325-7th Street N.W., Washington, D.C. 20530.

Rebecca P. Dick,

Director, Civil Non-Merger Enforcement.

[FR Doc. 98-24281 Filed 9-9-98; 8:45 am]

BILLING CODE 4410-11-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Application

Pursuant to § 1301.33(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on June 10, 1998, Dupont Pharmaceuticals, The Dupont Merck Pharmaceutical Co., 1000 Stewart Avenue, Garden City, New York 11530, made application by renewal to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Oxycodone (9143)	II
Hydrocodone (9193)	II
Oxymorphone (9652)	II

The firm plans to manufacture the listed controlled substances to make finished products.

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the proposed registration.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than (60 days from publication).

Dated: September 2, 1998.

John H. King,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 98-24297 Filed 9-9-98; 8:45 am]

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